

REMARKS

Independent Claim 1 now states that the beads must consist of a certain mixture of components a)-c). Applicants submit that the claimed beads of present Claim 1 are not disclosed in the prior art relied on by the Office. Likewise, Claim 5 is now drawn to a process that must form beads that consist of the components a)-c).

The Office rejected the previously presented claims as anticipated or obvious over Alvares (U.S. 3,991,020); Ingram (U.S. 4,692,472); and/or Harclerode (U.S. 5,240,657). Applicants submit that none of the prior art relied on by the Office discloses a bead made of a mixture of vinylaromatic polymers that must consist of only those components recited in present Claim 1.

For example, Alvares discloses expandable thermoplastic polymeric compositions that contain a polyether (see the Abstract of Alvares).

Ingram discloses particles of a thermoplastic composition that includes zinc stearate in combination with a silicon oil (see Example 1 of Ingram).

Harclerode discloses expandable polystyrene beads that are “coated with 0.12 weight percent of a mixture of powdered lubricants and antilumping agents commonly used in the industry as screening aids and antilumping agents” (see column 20, lines 63-66 of Harclerode). Contrary to the Office’s assertion, Harclerode does not state that the mixture of powdered lubricants is zinc stearate. In fact, Harclerode discloses that a mixture of powdered lubricants and anti-lumping agents must be used. The presently claimed invention contains only an anti-lumping agent additive.

Harclerode describes the powdered lubricants and anti-lumping agents as follows:

The formulation may further comprise additional additives which impart particular properties to the expandable products. Examples include, antistatic agents, stabilizers, colorants, lubricants, fillers, substances which prevent agglomeration during prefoaming, e.g. zinc stearate, melamine-formaldehyde condensates or silica, and agents for reducing the demolding

time during final foaming, e.g. glycerol esters or hydroxycarboxylic acid esters.

See column 19, lines 58-66 of Harclerode.

Harclerode cannot anticipate present Claim 1 because the prior art states that a mixture of anti-lumping and lubricants is present whereas Claim 1 now requires that the expandable beads consist of components a)-c).

For the reasons discussed above, Applicants submit that Claims 1 and 5, and those claims dependent therefrom, are patentable over the prior art of record and respectfully request withdrawal of the rejections.

Applicants draw the Office's attention to new independent Claim 11. New Claim 11 states that the beads of expandable vinylaromatic polymers must comprise an anti-lumping additive that is selected from the group of oxides of the metals of Group IB and Group VIIIB. Applicants submit that it is readily recognized by those of skill in the art that the metals of Group IB of the periodic chart are Cu, Ag and Au, and the metals of Group VIIIB are Fe, Ru, Os, Co, Rh, Ir, Ni, Pd, and Pt. None of the prior art relied on by the Office discloses expandable beads of a vinylaromatic polymer that contains the anti-lumping additive of present Claim 11 present on a surface thereof. Applicants thus submit that new Claim 11 must be patentable over the prior art of record and respectfully request allowance of the claims.

INFORMATION DISCLOSURE STATEMENT

Applicants submitted an Information Disclosure Statement (IDS) on March 3, 2005. The IDS provided the publication number of a U.S. application which was cited as a related case to the present application. The Office did not return a signed, initialed and dated copy of the Form PTO-1449 submitted together with the IDS on March 3, 2005. Applicants request

the Office return a signed, dated and initialed copy of the March 3, 2005 IDS together with the next communication from the Office.

For the reasons discussed above in detail, Applicants request withdrawal of the rejections and the allowance of all now-pending claims.

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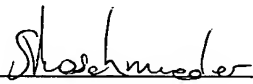
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